

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Wednesday, January 20, 2010

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Callisto, Commissioner Meyer, and Commissioner Azar (telephonically).

Minutes

The Commission approved the minutes of the Open Meeting of Thursday, January 7, 2010.

5820-SB-124 – Application of Superior Water, Light and Power Company for Authority to Issue and Have Outstanding During 2010 Short-Term Indebtedness Not to Exceed Principal Amount of \$10,000,000

5820-AU-121 – Application of Superior Water, Light and Power Company for Approval of Short-Term Loans from its Parent, ALLETE, Inc. (Minnesota Power), Not to Exceed \$10,000,000 to be Outstanding at Any One Time During 2010

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6760-ER-103 – Application of the Village of Woneawoc, Juneau County, Wisconsin, as an Electric Public Utility, for Authority to Increase Electric Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

5-TI-2002 – Annual Review of the Earnings of Small Telecommunications Utilities for 2007-2009

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

920-WR-102 – Application of Cambridge Municipal Water Utility, Dane and Jefferson Counties, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2090-WR-111 – Application of Village of Fox Point Water Utility, Milwaukee County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2870-WR-104 – Application of Kimberly Municipal Water Utility, Outagamie County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3150-WR-104 – Application of Livingston Municipal Water Utility, Grant and Iowa Counties, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6140-WR-104 – Application of the City of Viroqua Municipal Water Utility, Vernon County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6370-WR-101 – Application of West Baraboo Municipal Water and Sewer Utility, Sauk County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6570-WR-103 – Application of Windsor Sanitary District Number One, Dane County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6630-CE-302 – Application of Wisconsin Electric Power Company for a Certificate of Public Convenience and Necessity to Construct a Wind Electric Generation Facility and Associated Electric Facilities, to be Located in the Towns of Randolph and Scott, Columbia County, Wisconsin

The Commission modified and approved the Final Decision and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6690-GF-124 – Application of Wisconsin Public Service Corporation for a Gas Risk Management Program

The Commission approved the Order to Reopen and Request for Comments and directed it be signed by the Secretary to the Commission on behalf of the Commission.

5-GF-191 – Quadrennial Planning Process

1-IC-427 – Application for Intervenor Compensation filed by Citizens' Utility Board for \$20,175 to Participate in Docket 5-GF-191

The Commission approved the request filed on behalf of the Citizens' Utility Board, Clean Wisconsin, and RENEW Wisconsin, working together as "Joint Public Intervenors," awarding intervenor compensation in the amount of \$20,175.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

5-EI-147 – Investigation to Assess Wisconsin's Potential for the Development of Utility Investments in Solar Energy Resources to Cost-Effectively Contribute to Wisconsin's Electric Supply

1-IC-429 – Application for Intervenor Compensation Filed by Sierra Club John Muir Chapter for \$45,800 to Participate in Docket 5-EI-147

The Commission modified and approved the request filed on behalf of the Sierra Club John Muir Chapter, awarding intervenor compensation in the amount of \$37,100.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

3280-WR-111 – Application of Madison Water Utility, Dane County, Wisconsin, for Authority to Increase Water Rates

1-IC-428 – Application for Intervenor Compensation Filed by Clean Wisconsin for \$6,400 to Participate in Docket 3280-WR-111

Request for Reconsideration of Clean Wisconsin

The Commission approved the request for reconsideration filed on behalf of Clean Wisconsin for the remaining \$5,100 from its original request for intervenor compensation to participate in Madison Water Utility's rate case in docket 3280-WR-111.

The Commission directed the Division of Water, Compliance and Consumer Affairs to draft an order consistent with its discussion.

180-TB-100 – Application of the City of Antigo for Lease and Sale of Complete Public Utility Plant to Wittenberg Wireless, LLC

Determination of Whether to Open a Docket

The Commission opened a docket to investigate and decide the appropriateness of a City of Antigo proposal to lease telecommunications fiber optic facilities to a new entrant.

The Commission directed the Telecommunications staff to prepare a notice consistent with its open meeting discussion.

The Commission delegated this matter to the Administrator of the Telecommunications Division for final decision, subject to an opportunity to request a hearing.

The Commission directed the Telecommunications Division to draft an order consistent with its discussion.

CLOSED SESSION - The Commission recessed the open meeting, went into closed session under Wis. Stat. § 19.85(1)(g) to discuss the litigation matters noted below with legal counsel, and reconvened the open meeting pursuant to Wis. Stat. § 19.85(2).

6680-CE-173 – Application by Wisconsin Power and Light Company to Construct up to 200 MW of Wind Generation to be Called Bent Tree Wind Farm, in Freeborn County, in South Central Minnesota

Offer to Compromise Petition for Review by Wisconsin Industrial Energy Group and Citizens' Utility Board

Commissioner Meyer moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss litigation matters with counsel. Commissioner Azar seconded the motion. The motion was carried and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session.

The Commission declined to enter into a Consent Decree proposed by the Wisconsin Industrial Energy Group (WIEG) and the Citizens' Utility Board (CUB) in the case now pending before the Dane County Circuit Court, *Wisconsin Industrial Energy Group, Inc., et al., v. Public Service Commission of Wisconsin*, Case No. 09-CV-4313.

The Commission directed staff to continue its work in this ongoing litigation.

The Commission adjourned the meeting at 11:58 a.m.

Sandra J. Paske
Secretary to the Commission